IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 7570 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE S.R.BRAHMBHATT

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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GJ PATEL - Petitioner
Versus
STATE OF GUJARAT & 2 - Respondents

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Appearance :
MS ROOPAL R PATEL for Petitioner:
MR. KETAN DWIVEDI, LD. AGP for Respondents : 1 - 2.
NOTICE SERVED for Respondent: 3,

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CORAM : HONOURABLE MR.JUSTICE S.R.BRAHMBHATT

Date : 08/08/2007

ORAL JUDGMENT

1. This petition would not now survive as the order dated 4/8/2007 is placed on record indicating the grievance of the petitioner is redressed.

However, Ms. Roopal Patel for the petitioner submitted that the payment of monetary benefits arising out of the deemed date shall be given within the stipulated time as the petitioner is languishing for this benefit since year 1997 and now the petitioner is retired from service in year 2002. The request of petitioner's counsel could not be opposed by Shri. Dwivedi, learned AGP. The order dated 4/8/2007 is ordered to be taken on record.

2. The respondents are hereby directed to work out the monetary benefits admissible to the petitioner on the basis of the deemed date given to him as per the order dated 4/8/2007, and pay the arrears within three months from the date of receipt of this order. The petition is accordingly disposed of in aforesaid terms. Rule made absolute to the aforesaid extent only. No order as to costs.

[S.R. BRAHMBHATT, J]

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